

in the course of the progress of the community. The terms and provisions of the Constitution are constantly expanded to meet the advancing affairs of men. The Constitution is a changeable, living document. Judges have always interpreted provisions in the Constitution to meet the important, difficult, essential problems of today. When that constitutional language was written in 1909, and construed in 1949, no one had any idea that Nebraska would be confronted with the kind of problem that it is being confronted with in 1986. So I don't think an interpretation, an opinion of how the Supreme Court might rule in this case, based on opinions rendered 20 and 30 years ago, should deter us, in this Legislature today, from making the difficult policy choice that we are called on in these times to make.

PRESIDENT: One minute.

SENATOR HOAGLAND: So let me simply say I don't think we should take it that seriously. I guess I don't agree with Senator Schmit when he says that today, if we pass this bill, we are burying on the floor, for a long time, the rights of the consumer. And I respect Senator Schmit. Senator Schmit has made some of the finest statements that have been made on any subject and the debate on this bill in recent weeks. But we are going to have plenty of opportunity. We are simply amending a statute here. We are going to have plenty of opportunity to resort these values, to give more power or less power to the Public Service Commission in future years. We're not writing anything permanently. We're here today to make an important policy choice. And I think that is clear. I think that has been clearly delineated by prior speakers. I think we should make that policy choice by sending this bill onto the Governor today, without further delay. Thank you.

PRESIDENT: Senator Harris.

SENATOR HARRIS: I call the question.

PRESIDENT: Do I see five hands? We have had pro and con. I'll put the question to you, shall the debate close? All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Debate is closed. Senator Schmit, you have the